

SERC Meeting
October 22, 2002
10:00 a.m.

Stephen Kappa began the meeting at 10:04 am, a quorum was present, for those in attendance see attached roster. The minutes of August 20, 2002 were reviewed. Mr. Kappa asked for corrections, deletions or additions. *Rudy Raynes made a motion to accept the minutes, Dick Jarvis seconded. Motion passed.*

Mike Stratsar from EPA and Katherine Pomerantz from FEMA were in attendance today.

Old Business:

DOJ Grants - Mr. Sharp reported the DOJ 99, 00, 01 and 02 funds have been received for draw down. Mr. Sharp will be updating DOJ within the week on the status of the 3 year program currently under way. Mr. Sharp said Rudy Raynes has been invaluable as an advisory board member, he assisted several state agencies and regions in developing documents and team issues. The bid packages will be out next week enabling us to purchase equipment with the goal of having the program up and running by December 31, 2002. 4 Mass Triage Trailers were delivered in the state to assist with Bridge Day in Fayette County, each trailer has the capability of treating 5000 exposed patients. The accreditation process is underway, rosters have been collected from the 6 regions, training classes are being reviewed by WVU Fire Service Extension and evaluations will be conducted on those who submitted applications. Written examinations and practical examinations will also be administered, Mr. Sharp is confident the regional response teams will be staffed with emergency responders who are the best in the state. Mr. Sharp stated this is just the beginning of the project; once the equipment is in-state and initial training is completed additional equipment, training and exercising will need to be accomplished. Ms. Lawson asked if Fire Departments or the Governor will be providing vehicles to move the Mass Triage Trailers? Mr. Sharp said it is not necessary now, the 2003 & 2004 DOJ Grants have made provisions for vehicles; at present the regions have sufficient means to move the trailers until the 03 appropriations are available. Discussion was held on mutual aid and compensation liability issues, Mr. Sharp said those issues continue to be assessed and as additional information is forthcoming policies will be implemented. However, he said State code 15-7-5 is being researched and should cover the issues concerning compensation liability but the State Fire Commission will examine the code and make a determination as well.

Other Old Business - Mr. Kappa told the Board a letter has been received from Berkeley County requesting reimbursement of lodging expenses from hazmat training from October 2001. Mr. Kappa stated he felt the county should not be penalized due to poor administration or difficulties obtaining information from the

lodging facility whichever may be the case. There was discussion on funding since the funds budgeted for the class were expended at the end of FY 2001 and if we will be setting a precedent allowing requests for funds to extend a year or more and how to prevent this type of situation from occurring again.

It was determined Berkeley County will be reimbursed not more than \$3060.00 with a disclaimer indicating it is incumbent on entities to submit reimbursements within 90 days of the obligation.

Mr. Jarvis made a motion to approve payment of the Berkeley County request. Matt Musgrave seconded. Motion passed.

HMEP Grants - Mr. Kappa informed the board the 2003 HMEP grant application for US DOT needs to be finalized. Joe Wyatt moved to allow Mr. Kappa to represent the WV SERC for the US DOT HMEP Grant 2003. Matt Musgrave seconded. Motion passed.

SERC Grants- Laverne Stout asked members to review the expenditure schedule listed in the packet. This year to date LEPCs have requested \$61,000 in grants they were eligible for \$112,000. Mr. Jarvis asked if LEPCs were notified concerning the grants and deadlines to access grants. Laverne indicated notification is sent informing them of the grant initially in January and a final notification is sent in December.

Plan Reviews - Paul Howard reported the status of the plan review criteria has not yet been finalized by the SERC. There was discussion on NRT 1, class schedules and annexes. Mr. Jarvis discussed accepting the plan review procedures developed by Paul Howard, *Rudy Raynes made a motion to accept the plan review process, Joe Wyatt seconded. Motion passed.* Mr. Howard has reviewed Kanahwa/Putnam and Monongalia utilizing the new criteria. Both reviews are included in the packet, both LEPCs meet the 13 requirements outlined in NRT 1. Mr. Howard suggested the SERC concur with his recommendation. *Matt Musgrave moved to accept Monongalia and Kanawha/Putnam plans as presented. Joe Wyatt seconded. Motion passed.* There was discussion concerning the review process, if LEPCs should submit their plans to the SERC prior to implementation and acceptance by the county commission. It was decided at this time to continue the process as it stands but to review periodically and make changes if necessary.

LEPC Membership Approvals -Preston, Roane, Jefferson & Nicholas LEPCs have submitted membership lists. *Rudy Raynes made a motion to approve lists as submitted. Matt Musgrave seconded. Motion passed.*

By-Laws -Pendleton County was reviewed for the second time, they needed some additional information and have provided the requested information.

Preston County submitted by-laws for initial review, they meet all requirements. *Rudy Raynes moved to approve Pendleton County By-laws as submitted. Dick Jarvis seconded. Motion passed.*

Training Subcommittee -Jim Cox is at EMI and will report at the next meeting.

Other New Business -Mr. Kappa reported on the new Citizens Corp funded by FEMA. 12 counties and 1 city have been selected to receive supplemental funding to hire a planner who will assist the county and LEPCs in their planning activities.

Berkeley, Ohio, Marhsall, Brooke, Hancock, Cabell, Kanawha, Raleigh, Mercer, Monongalia, Marion, Harrison, Wood and the City of Charleston. Prerequisites are population and serious threats to infrastructure, it has been determined those communities have approximately 90% of infrastructure in the state and 65-70% of the population. It is projected the new planners will begin work in January and the appropriations have been established until the end of 2003.

2003 SERC Conference sites were listed in the packet and reviewed. Discussion of sites included pros and cons for each site such as distance, space, capability of site, image of facility, and convenience to airports. Due to the size of the conference we are limited to the following facilities: Ogelbay, Canaan Valley, Lakeview, Holiday Inn Parkersburg, Mountaineer Racetrack & Gaming Resort, Marriott, Embassy Suites and Stonewall Jackson. Mr. Kappa stated we are trying to schedule Gov. Ridge and Gov. Wise for the 2003 Conference and both individuals need to be near airports for travel if necessary. Mr. Kappa suggested Charleston it is more expensive but vendors can pick up some of the food costs, since our agency will be spending 5.5 million soon and the 2003 budget is approximately 3 million it is felt vendors will be receptive. Discussion of dates and Charleston sites continued, it was decided to hold the 2003 SERC/LEPC Conference at Embassy Suites August 11-13, 2003. Mr. Kappa also suggested we set a site for 2004, it was decided to hold the 2004 SERC/LEPC Conference at Ogelbay August 10-12, 2004. *Mr. Jarvis made a motion to hold the 2003 SERC/LEPC Conference at Embassy Suites August 11-13, 2003 and Ogelbay August 10-12, 2004. Matt Musgrave seconded. Motion passed.*

Discussion on the possible changes to HB 2382 which will increase the maximum Tier II fee from \$100 to \$400. 3 years ago Dave Wheatcraft, Giles Watson and Roy McCallister met to discuss the possibility of raising the fees, increasing grants to LEPCs without numerous fixed facilities and upgrading our services to LEPCs. At that time it was decided to increase the maximum fee to \$400 per facility and the minimum to \$100.00. It was felt as long as the increase was across the board and not targeted at one particular industry, industry would not oppose the increase. The reserve built up during the first three years of the

program is slowly beginning to dwindle. More and more LEPCs are becoming active enabling them to request their grants, conference costs are increasing, normal office expenditures (i.e. phone, internet, mailings, office supplies) are increasing as well and matching funds for federal grants is increasing. Staff has met with Christy Morris from Mr. Martin's office to facilitate a possible change to the legislation. The increase will generate approximately 70,000 -80,000 most of which will come from facilities who now pay \$25.00 but will be increased to \$100.00. The packet contains budget information from Sep 01 to Sep 02 showing how funds are expended.

US EPA is conducting their annual Region III Conference in Baltimore December 8-12, 2002. Several individuals from LEPCs are interested in attending and have requested reimbursement from the SERC. Discussion centered on how many individuals to reimburse, deadline for requesting funds, notification of LEPCs statewide and who to include for reimbursable expenditures. It was decided 1 LEPC member and 1 OES staff from each county are eligible to attend up to a maximum of 24. Those individuals must also notify the SERC if they are unable to attend so others may take their place if possible.

Cherie Collins & Mike Moore met with Arizona Emergency Management officials to discuss their Tier Two reporting system. AEM has a system which is completely web-based, facilities log on using their specific facility identification number and report on-line. Approximately 90% of Arizona Tier Two companies file on-line, they have found the system much more manageable, useful and gives them consistent information. There was discussion on utilizing the system in WV, as it stands now the Tier Two information received has little value to the State, Fire Departments or LEPCs because we do not have the capability to input the data efficiently. The program initially will cost approximately \$20,000-\$25,000 depending on contractor costs and modifications needed for WV. Arizona also conducts a semi-annual 4 hour workshop for facilities to assist them in compliance. Giles Watson raised concerns about industry's ability to utilize the system based on programs they are currently using, some possibly nation-wide. If we utilize the system Mike Moore will become the systems administrator and will purchase the equipment, maintain it and make necessary corrections to the program when needed. Arizona's program is mandatory, they have changed their legislation to reflect the new on-line submission policy. However, Mr. Kappa does not feel it is necessary to mandate the program in WV; voluntary compliance and workshops should be enough to encourage facilities to change to the new system. It was decided to survey facilities within WV, report back to the SERC and then make a determination on possible use of the program in West Virginia.

Discussion on open meeting policy for LEPC meetings was discussed.

State legislation requires reasonable notification of meetings without exception. If an LEPC is not complying steps will be taken to see they do. Mr. Kappa said a letter will go out to the LEPC who is not complying.

Dick Jarvis moved to adjourn, Matt Musgrave seconded, Motion passed.

Meeting ended at 12:30 pm. Next scheduled meeting will be December 16, 2002 at 10:00 am at the EOC in Charleston, WV.